

**MODEL 1: FOR DISTRICTS SUBJECT TO THE GENERAL GOVERNMENT
LIMITATION**

BE IT RESOLVED that the Board of Directors of Sample District hereby levies the taxes provided for in the adopted budget in the aggregate amount of \$386,000 and that these taxes are levied upon all taxable property within the district as of 1:00 a.m. July 1, 1994. The following allocation and categorization subject to the limits of section 11b, Article XI of the Oregon Constitution make up the above aggregate levy:

	Subject to the General Government Limitation	Excluded from the Limitation
General Fund	\$200,000	\$ 0
Serial Levy Fund	75,000	0
Bonded Debt Fund	<u>0</u>	<u>111,000</u>
Category Total	\$275,000	\$111,000
Total Levy		\$386,000

MODEL 2: FOR DISTRICTS SUBJECT TO THE EDUCATION LIMITATION

BE IT RESOLVED that the School Board of Sample School District hereby levies the taxes provided for in the adopted budget in the aggregate amount of \$386,000 and that these taxes are levied upon all taxable property within the district as of 1:00 a.m. July 1, 1994. The following allocation and categorization subject to the limits of section 11b, Article XI of the Oregon Constitution make up the above aggregate levy:

	Subject to the Education Limitation	Excluded from the Limitation
General Fund	\$275,000	\$ 0
Bonded Debt Fund	<u>0</u>	<u>111,000</u>
Category Total	\$275,000	\$111,000
Total Levy		\$386,000

May 5, 1994

DEPARTMENT OF
REVENUE

To: Local Taxing Districts

From: Finance and Taxation Unit
Oregon Department of Revenue

Subject: New requirement when making a tax levy for 1994-95.

This letter is to remind all districts which intend to levy a tax for the 1994-95 fiscal year that additional wording is now required in the resolution making the levy. The 1993 legislature amended Local Budget Law to require that the resolution declaring a tax levy include language categorizing the tax. The new requirement applies to all districts: schools, educational service districts, community colleges, cities, counties and all special districts. Local Budget Law ORS 294.435(1) was amended in 1993 to say:

After the public hearing provided for in ORS 294.430 (1) has been held, the governing body shall enact the proper ordinances or resolutions to adopt the budget; to make the appropriations; to determine, make and declare the ad valorem tax levy for each fund; **and to categorize the levy as provided in ORS 310.060(2).**
[emphasis added]

Districts have been making this categorization in Part 1 on the M-5 "Certification to Assessor Intent to Impose a Tax, Fee, Assessment, or Charge on Property" form since 1991-92. The categories are "Education," "General Government," and "Excluded from Limitation." Starting in 1994-95, the categorization on this form must be supported by a resolution or ordinance of the governing body.

The assessor can not accept your levy if you do not include this categorization in your tax resolution. To help districts comply with this new requirement, the Department of Revenue has drafted the model resolutions shown on the back of this memo. Districts will modify their actual resolution to reflect their actual levy, fund structures and names. The first model is for districts subject to the "General Government" limitation. The second model is for districts subject to the "Education" limitation.

